

1 **PROVIDENCE CITY PLANNING COMMISSION MINUTES**

2 **July 14, 2010, 6:00 p.m.**

3 **Providence City Office Building**

4 **15 South Main, Providence, UT 84332**

5
6 **Chairman:** G Busch
7 **Commissioners:** R Gustaveson, R Sneddon
8 **Excused:** S Flammer, D Briel
9 **Alternates:** C Kirk, L Frank

10
11 **CONFLICT OF INTEREST:**

12
13 **APPROVAL OF THE MINUTES:**

14 The Providence City Planning Commission will consider for approval the minutes of June 23, 2010.

15 **Motion to approve the minutes: R Sneddon, R Gustaveson second**

16 **Vote: Yea: G Busch, R Gustaveson, R Sneddon, C Kirk, L Frank**

17 **Nay: None**

18 **Abstain: None**

19 **Excused: S Flammer, D Briel**

20
21 **PUBLIC HEARING:**

22 The Providence City Planning Commission will hold a public hearing to receive public comment on amending
23 Providence City Code Title 10 Zoning Regulations, Chapter 8 Area Regulations, by adding Section 7 Site Requirements
24 for Seasonal, Semi-Permanent and Temporary Business Facilities.

25 **Motion to open the public hearing: R Gustaveson, C Kirk second**

26 **Vote: Yea: G Busch, R Gustaveson, R Sneddon, C Kirk, L Frank**

27 **Nay: None**

28 **Abstain: None**

29 **Excused: S Flammer, D Briel**

30 There was no public comment.

31 **Motion to close the public hearing: R Sneddon, L Frank second**

32 **Vote: Yea: G Busch, R Gustaveson, R Sneddon, C Kirk, L Frank**

33 **Nay: None**

34 **Abstain: None**

35 **Excused: S Flammer, D Briel**

36
37 **ACTION ITEMS:**

38 **Item No. 1.** The Providence City Planning Commission will consider for recommendation to the City Council a request
39 to amend Providence City Code Title 10 Zoning Regulations, Chapter 8 Area Regulations, by adding Section 7 Site
40 Requirements for Seasonal, Semi-Permanent and Temporary Business Facilities.

41 S Bankhead explained that there have been no new changes since the last meeting. She told the Commission if they feel
42 comfortable with this, staff would like for this to be moved forward to City Council.

43 C Kirk asked for an update since she missed the last meeting.

44 S Bankhead went through and explained the reason for this ordinance.

45 R Sneddon asked how staff knows what the excess spaces are.

46 S Bankhead explained that this is spelled out in the ordinance.

47 K Hawkins explained how short term leases work with the parking and cross easements already there. He told the

48 Commission that this works for Christmas tree lots and Fireworks Stands.

49 S Bankhead said that staff makes sure that there is sufficient parking for permanent and temporary facilities.

50 R Sneddon asked about the fireworks stands.

51 K Hawkins said that they are required to have a large insurance policy.

52 **Motion to approve: R Sneddon, C Kirk second**

53 **Vote: Yea: G Busch, R Gustaveson, R Sneddon, C Kirk, L Frank**

54 **Nay: None**

55 **Abstain: None**

56 **Excused: S Flammer, D Briel**

1 **Item No. 2.** The Providence City Planning Commission will consider for recommendation to the City Council a request
2 to amend the Land Use Authority and Conditions/Design Standards for Chapter 10-4-4, Mixed Use District,
3 Commercial Highway District and Commercial General District.
4 S Bankhead explained to the Commission why this ordinance has been brought back. She told the Commission that they
5 can make any changes they want and then send it back to City Council.
6 K Hawkins has some comments and concerns with the wording of this ordinance.
7 Mayor Liechty felt like this should come back to the Commission for any changes they may want to make.
8 S Bankhead explained to the Commission that one of the things they need to look at is density.
9 K Hawkins gave the Commission a general idea of Amsource's property. They own approximately 30 acres. 20+ acres
10 is the shopping center and 10 acres is for mixed use. He understands that the City would like to get as much sales tax as
11 possible. He explained how the different uses work with density. The general rule is 10,000 square feet of building per 1
12 acre. They have the ability to do 100,000 square feet of building. Retailers feed off of Maceys. A lot of the focus for
13 mixed use is vertical. A lot of times retail and residential don't mix very well because of the lights and odors from the
14 garbage. In any trade area there is only a demand for a certain percentage of retail. He believes that high density
15 residential should be put behind Maceys. He believes this would greatly increase the City's sales tax.
16 G Busch asked how the Commission could enforce the mixed use if they didn't require percentages.
17 K Hawkins said they will have to take a leap of faith. He believes if you require percentages this property will never
18 work.
19 R Sneddon said Amsource could not exceed percentages and still do the mixed use.
20 K Hawkins explained how much high density and retail he could put on 10 acres.
21 R Gustaveson said he thought the corner of 100 North and 450 West would be good for retail.
22 D Calder wood talked about the buffer zone behind Maceys. He discussed where the retail area could be in the mixed
23 use zone.
24 K Hawkins doesn't feel like he will get retail behind Maceys until the shopping center is filled.
25 G Busch asked what the traffic count for this new CMPO road will be.
26 S Bankhead told the Commission she doesn't know. She also explained to them that the Council talked about putting in
27 a round-a-bout. She asked K Hawkins if the City gave him half the property and doubled the density would that work.
28 K Hawkins said he would be required to sit on the property until retail came along. How long would he have to do this?
29 He believes in personal property rights. He wants the ability to do what he would like with his property. To zone this
30 property retail won't work.
31 S Bankhead said she actually agrees with K Hawkins on zoning. She feels like zoning is a necessary evil. Staff felt
32 compelled to save this property from medical and professional offices. House tops attract retail and they do bring
33 property taxes. The City recognizes that developers want housetops.
34 K Hawkins said along Hwy 165 the City can do 1 million square feet of retail. When a piece of property is zoned or
35 rezoned it is an applicant coming in and asking for it. In this case the City wanted it. You need 200 units of multi-family
36 to make this work as a business. Nobody will want to do this because it won't work.
37 R Gustaveson asked if they could build on any phase whenever they want to.
38 K Hawkins said usually whatever comes in next is phase 1 then 2, etc. The market controls this.
39 D Calderwood asked how much sales tax is on Spring Creek Parkway. How many acres does that contain?
40 S Bankhead said the only one that produces sales tax is Master Mechanic. There is about 40 acres.
41 D Calderwood said he believes that it is easier to sell to Doctors and Professional Businesses instead of retail. Maybe if
42 Providence had taken a firmer stand perhaps retailers would have come here.
43 K Hawkins believes that if he could put multi-family behind Maceys it would help with the retail businesses.
44 G Busch said the City wants to create a sense of place for Providence. In the mixed use area we wanted a place for the
45 people to walk and not have to drive.
46 K Hawkins said mixed use is a huge disaster in the United States.
47 R Sneddon said he thinks that there are two arguments here. He feels like this was a step in the right direction to save
48 the open space in the valley.
49 K Hawkins said two weeks ago he asked the Council how much sales tax they could get in the shopping center. There is
50 a definite market for so many retail businesses. How does he do the most sales tax businesses? He drew a diagram on
51 the white board showing how they would make this area more walkable. This is done through landscaping, etc. It is in
52 the developer's best interest to make this work. Small retailers cannot exist by themselves.
53 D Calderwood asked if knowing the projected traffic count for the CMPO road would help.
54 C Kirk said the keyword for the City is preserve. This needs to be a money maker for the City. If the area is full there is
55 nothing we can do in 5 years.
56 K Hawkins said the City is taking his property by not letting him do what he wants.
57 G Busch said taking is a very strong word.
58 R Sneddon asked for a vision of a buffer between Maceys and the multi-family area.

1 K Hawkins said the back end of Maceys is not attractive. No retailers will want to go between multi-family and Maceys.
2 There is only 1 road. Retailers want to face the road.
3 G Busch said he is at a loss for words for where they go next. The Commission could simply recommend to the City
4 Council what they want and let them decide.
5 C Kirk said she is torn. She agrees with density but she feels like the Commission serves as the bad guys.
6 G Busch said he would like to see an increase in residential density.
7 S Bankhead said the Council is very agreeable with the Commission's ideas. She could take this to Staff and help work
8 out some suggestive wording and bring it back to Planning.
9 K Hawkins asked if they could reduce the percentage to 25% retail.
10 R Gustaveson said it isn't just Amsources piece of property. There is other property in play here.
11 C Kirk said she believes we need to know what the traffic counts will be for this new road.
12 S Bankhead said she will check with UDOT on their projections. She believes that when the light goes in on 300 South
13 this will be a big boom for Maceys. The City feels like the new road will be a commuter road.
14 K Hawkins talked about losing Les Schwab to Logan City.
15 G Busch asked what the next step is. Planning would like to get a traffic count, reconsider the percentages and density
16 numbers.
17 K Hawkins said the residential drives the retail.
18 S Bankhead asked what is considered high density.
19 K Hawkins said somewhere between 18 to 24 units. He suggested bringing in a Planner that works with Mixed Use
20 zoning and do a Joint Workshop with the Council and the Planning Commission.
21 S Bankhead said she would present this to the Council. She suggested doing it on July 27th.

22
23 **STUDY ITEM:**

24 **Item No. 1.** The Providence City Planning Commission will discuss Accessory Buildings as a use with Home
25 Businesses.
26 There are no suggestions on Accessory Buildings. This will be moved to the next meeting.
27

28 **STAFF REPORTS:**

29 She welcomed Louis Frank as the new alternate member. R Gustaveson attended the Council meeting last night.
30 Amsource Group is submitting a final plat on phase 2.
31

32 **COMMISSION REPORT:**

33 R Gustaveson told the Commission about the Council meeting he attended.
34

35 **Motion to adjourn: C Kirk, R Sneddon second**

36 **Vote: Yea: G Busch, R Gustaveson, R Sneddon, C Kirk, L Frank**

37 **Nay: None**

38 **Abstain: None**

39 **Excused: S Flammer, D Briel**
40

41 Meeting adjourned at 7:46 p.m.

42 Minutes taken and prepared by Terri Lewis
43
44

45
46 _____
Glen Busch, Chairman

Terri Lewis